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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Oliver P. Peoples, Lara L. Madison, and Gjalt Huisman

Serial No.: 09/364,847

Art Unit: 1649

Filed: July 30, 1999

Examiner: Not Yet Assigned

For: *ENZYMES FOR BIOPOLYMER PRODUCTION*

Assistant Commissioner for Patents  
Washington, D.C. 20231

JAN 11 2000

INFORMATION DISCLOSURE STATEMENT

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Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit an Information Disclosure Statement, including ten (10) pages of Form PTO-1449 and a copy of each document cited therein.

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**U.S. Patents**

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
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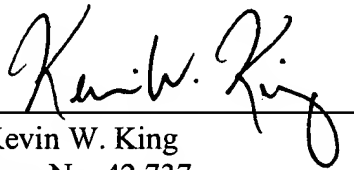
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U.S.S.N.: 09/364,847  
Filed: July 30, 1999  
INFORMATION DISCLOSURE STATEMENT

### Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

  
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Dated: January 5, 2000

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number	09/364,847
Filing Date	July 30, 1999
First Named Inventor	Oliver P. Peoples
Group Art Unit	1649
Examiner Name	
Attorney Docket Number	MBX 030

Sheet 1 of 10

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	US Patent Document		Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,004,863		Umbeck	04-02-1991	
		5,015,580		Christou, et al.	05-14-1991	
		5,024,944		Collins, et al.	06-18-1991	
		5,030,572		Power, et al.	07-09-1991	
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		5,169,770		Chee, et al.	12-08-1992	
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		5,250,430		Peoples, et al.	10-05-1993	
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		5,530,196		Fraley, et al.	06-25-1996	
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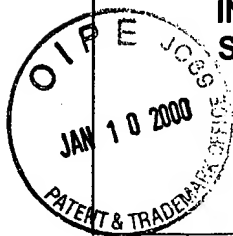
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Sheet 4 of 10

### OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		BÜLOW & MOSBACH, "Multienzyme systems obtained by gene fusion," <i>Trends Biotechnol.</i> 9(7):226-31 (1991).	
		BÜLOW, "Characterization of an artificial bifunctional enzyme, $\beta$ -galactosidase/galactokinase, prepared by gene fusion," <i>Eur. J. Biochem.</i> 163(3):443-48 (1987).	
		BÜLOW, "Preparation of artificial bifunctional enzymes by gene fusion," <i>Biochem. Soc. Symp.</i> 57:123-33 (1990).	
		CARLSSON, et al., "Engineering of lactose metabolism in <i>E. coli</i> by introducing $\beta$ -galactosidase/galactokinase fusion enzymes," <i>Biotech. Lett.</i> 14:439-44 (1992).	
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		CHOI, et al., "Cloning of the <i>Alcaligenes latus</i> polyhydroxyalkanoate biosynthesis genes and use of these genes for enhanced production of Poly(3-hydroxybutyrate) in <i>Escherichia coli</i> ," <i>Appl. Environ. Microbiol.</i> 64(12):4897-903 (1998).	
		CUBITT, et al., "Understanding, improving and using green fluorescent proteins," <i>Trends Biochem. Sci.</i> 20(11):448-55 (1995).	
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		FROMM, et al., "Inheritance and expression of chimeric genes in the progeny of transgenic maize plants," <i>Biotechnology (N Y).</i> 8(9):833-39 (1990).	

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Sheet 5 of 10

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		FUKUI & DOI, "Cloning and analysis of the poly(3-hydroxybutyrate-co-3-hydroxyhexanoate) biosynthesis genes of <i>Aeromonas caviae</i> ," <i>J. Bacteriol.</i> 179(15):4821-30 (1997).	
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		GASSER & FRALEY, "Genetically Engineering Plants for Crop Improvement," <i>Science</i> 244:1293-99 (1989).	
		HAUSER, et al., Translational regulation of chloroplast genes. Proteins binding to the 5'-untranslated regions of chloroplast mRNAs in <i>Chlamydomonas reinhardtii</i> ," <i>J. Biol. Chem.</i> 271(3):1486-97 (1996).	
		HUANG, "Oil bodies and oleosins in seeds," <i>Annu. Rev. Plant Physiol. Plant Mol. Biol.</i> 43:177-200 (1992).	
		HUISMAN, et al., "Metabolism of poly(3-hydroxyalkanoates) (PHAs) by <i>Pseudomonas oleovorans</i> . Identification and sequences of genes and function of the encoded proteins in the synthesis and degradation of PHA," <i>J. Biol. Chem.</i> 266(4):2191-08 (1991).	
		HUSTEDE & STEINBÜCHEL, "Characterization of the polyhydroxyalkanoate synthase gene locus of <i>Rhodobacter sphaeroides</i> ," <i>Biotechnol. Lett.</i> 15:709-14 (1993).	
		HUSTEDE, et al., "Cloning of poly(3-hydroxybutyric acid) synthase genes of <i>Rhodobacter sphaeroides</i> and <i>Rhodospirillum rubrum</i> and heterologous expression in <i>Alcaligenes eutrophus</i> ," <i>FEMS Microbiol. Lett.</i> 93:285-90 (1992).	
		ISHIDA, et al., "High efficiency transformation of maize ( <i>Zea mays</i> L.) mediated by <i>Agrobacterium tumefaciens</i> ," <i>Nat. Biotechnol.</i> 14(6):745-50 (1996).	
		JEFFERSON, et al., "GUS fusions: $\beta$ -glucuronidase as a sensitive and versatile gene fusion marker in higher plants," <i>EMBO J.</i> 6(13):3901-07 (1987).	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	09/364,847
		Filing Date	July 30, 1999
		First Named Inventor	Oliver P. Peoples
		Group Art Unit	1649
		Examiner Name	
Sheet 6 of 10	Attorney Docket Number	MBX 030	

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		KANEKO, et al., "Sequence analysis of the genome of the unicellular cyanobacterium <i>Synechocystis</i> sp. strain PCC6803. II. Sequence determination of the entire genome and assignment of potential protein-coding regions," <i>DNA Res.</i> 3(3):109-36 (1996).	
		KYOZUKA, et al., "Anaerobic induction and tissue-specific expression of maize <i>Adh1</i> promoter in transgenic rice plants and their progeny," <i>Mol. Gen. Genet.</i> 228(1-2):40-48 (1991).	
		LIEBERGESELL & STEINBÜCHEL, "Cloning and nucleotide sequences of genes relevant for biosynthesis of poly(3-hydroxybutyric acid) in <i>Chromatium vinosum</i> strain D," <i>Eur. J. Biochem.</i> 209:135-50 (1992).	
		LIEBERGESELL & STEINBÜCHEL, "Cloning and molecular analysis of the poly(3-hydroxybutyric acid) biosynthetic genes of <i>Thiocystis violacea</i> ," <i>Appl. Microbiol. Biotechnol.</i> 38(4):493-501 (1993).	
		LJUNGCRANTZ, et al., "Construction and characterization of a recombinant tripartite enzyme, galactose dehydrogenase/β-galactosidase/galactokinase," <i>FEBS Lett.</i> 275(1-2):91-94 (1990).	
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		MCELROY, et al., "Isolation of an efficient actin promoter for use in rice transformation," <i>Plant Cell.</i> 2(2):163-71 (1990).	
		MEDBERRY, et. al., "Intra-chromosomal rearrangements generated by <i>Cre-lox</i> site-specific recombination," <i>Nucl. Acids Res.</i> 23(3):485-90 (1995).	

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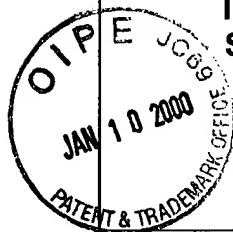
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Application Number	09/364,847
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First Named Inventor	Oliver P. Peoples
Group Art Unit	1649
Examiner Name	
Attorney Docket Number	MBX 030

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	•	MOLONEY, et al., "High efficiency transformation of <i>Brassica napus</i> using <i>Agrobacterium</i> vectors," <i>Plant Cell Reports</i> 8:238-42 (1989).	
	•	NISHIMURA, et al., "Purification and properties of β-ketothiolase from <i>Zoogloea ramigera</i> ," <i>Arch. Microbiol.</i> 116(1):21-27 (1978).	
	•	ODELL, et al., "Identification of DNA sequences required for activity of the cauliflower mosaic virus 35S promoter," <i>Nature</i> 313(6005):810-12 (1985).	
	•	OWEN, et al., <i>Transgenic Plants: A Production System for Industrial and Pharmaceutical Proteins</i> , John Wiley & Sons Ltd.:England, 1996.	
	•	PANG, et al., "An improved green fluorescent protein gene as a vital marker in plants," <i>Plant Physiol.</i> 112:893-900 (1996).	
	•	PEOPLES & SINSKEY, "Fine structural analysis of the <i>Zoogloea ramigera phbA-phbB</i> locus encoding β-ketothiolase and acetoacetyl-CoA reductase: nucleotide sequence of <i>phbB</i> ," <i>Molecular Microbiol.</i> 3(3):349-57 (1989).	
	•	PEOPLES & SINSKEY, "Poly-β-hydroxybutyrate (PHB) Biosynthesis in <i>Alcaligenes eutrophus</i> H16," <i>J. Biol. Chem.</i> 264(26):15298-303 (1989).	
	•	PEOPLES, et al. "Biosynthetic Thiolase from <i>Zoogloea ramigera</i> ," <i>J. Biol. Chem.</i> 262(1):97-102 (1987).	
	•	PIEPER & STEINBUHEL, "Identification, cloning and sequence analysis of the poly(3-hydroxyalkanoic acid) synthase gene of the gram-positive bacterium <i>Rhodococcus ruber</i> ," <i>FEMS Microbiol. Lett.</i> 75(1):73-79 (1992).	
	•	PLANT, et al., "Regulation of an <i>Arabidopsis</i> oleosin gene promoter in transgenic <i>Brassica napus</i> ," <i>Plant Mol. Biol.</i> 25(2):193-205 (1994).	

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		POIRIER, et al., "Polyhydroxybutyrate, a Biodegradable Thermoplastic, Produced in Transgenic Plants," <i>Science</i> 256:520-23 (1992).	
		POTRYKUS & SPANGENBERG, <i>Gene Transfer to Plants</i> , Springer-Verlag:Berlin Heidelberg New York, 1995.	
		ROWLEY & HERMAN, "The upstream domain of soybean oleosin genes contains regulatory elements similar to those of legume storage proteins," <i>Biochim. Biophys. Acta</i> . 1345(1):1-4 (1997).	
		SAITO, et al. "An NADP-linked acetoacetyl CoA reductase from <i>Zoogloea ramigera</i> ," <i>Arch. Microbiol.</i> 114(3):211-17 (1977).	
		SAUER, "Manipulation of transgenes by site-specific recombination: use of Cre recombinase," <i>Methods Enzymol.</i> 225:890-900 (1993).	
		SCHEMBRI, et al., "Identification of a 13-kDa protein associated with the polyhydroxyalkanoic acid granules from <i>Acinetobacter</i> spp," <i>FEMS Microbiol. Lett.</i> 133(3):277-83 (1995).	
		SCHEMBRI, et al., "Phosphate concentration regulates transcription of the <i>Acinetobacter</i> polyhydroxyalkanoic acid biosynthetic genes," <i>J. Bacteriol.</i> 177(15):4501-07 (1995).	
		SLATER, et al., "Multiple beta-ketothiolases mediate poly(beta-hydroxyalkanoate) copolymer synthesis in <i>Ralstonia eutropha</i> ," <i>J. Bacteriol.</i> 180(8):1979-87 (1998).	
		SLIGHTOM, et al., "Complete nucleotide sequence of a French bean storage protein gene: Phaseolin," <i>Proc. Natl. Acad. Sci. USA</i> 80:1897-901 (1983).	
		STEINBÜCHEL & VALENTIN, "Diversity of bacterial polyhydroxyalkanoic acids," <i>FEMS Microbiol. Lett.</i> 128:219-28 (1995).	

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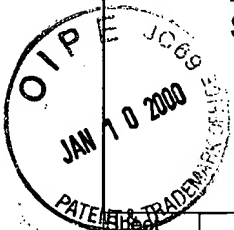
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		STEINBUCHER, et al., "Considerations on the structure and biochemistry of bacterial polyhydroxyalkanoic acid inclusions," <i>Can. J. Microbiol.</i> 41 Suppl 1:94-105 (1995).	
		STEMMER, "DNA shuffling by random fragmentation and reassembly: <i>in vitro</i> recombination for molecular evolution," <i>Proc. Natl. Acad. Sci. USA</i> 91(22):10747-51 (1994).	
		STEMMER, "Rapid evolution of a protein <i>in vitro</i> by DNA shuffling," <i>Nature</i> 370(6488):389-91 (1994).	
		SVAB, et al., "Stable transformation of plastids in higher plants," <i>Proc. Natl. Acad. Sci. USA</i> 87:8526-30 (1990).	
		TIMM & STEINBUCHER, "Cloning and molecular analysis of the poly(3-hydroxyalkanoic acid) gene locus of <i>Pseudomonas aeruginosa</i> PAO1," <i>Eur. J. Biochem.</i> 209(1):15-30 (1992).	
		TOMBOLINI, et al., "Poly-β-hydroxybutyrate (PHB) biosynthetic genes in <i>Rhizobium meliloti</i> 41," <i>Microbiology</i> . 141 (Pt 10):2553-59 (1995).	
		UEDA, et al., "Molecular analysis of the poly(3-hydroxyalkanoate) synthase gene from a methylotrophic bacterium, <i>Paracoccus denitrificans</i> ," <i>J. Bacteriol.</i> 178(3):774-79 (1996).	
		UMEDA, et al., "Cloning and sequence analysis of the poly (3-hydroxyalkanoic acid)-synthesis genes of <i>Pseudomonas acidophila</i> ," <i>Appl. Biochem. Biotechnol.</i> 70-72:341-52 (1998).	
		VALENTIN, et al., "Cloning and characterization of the <i>Methylobacterium extorquens</i> polyhydroxyalkanoic-acid-synthase structural gene," <i>Appl. Microbiol. Biotechnol.</i> 39(3):309-17 (1993).	
		WIECZOREK, et al., "Analysis of a 24-kilodalton protein associated with the polyhydroxyalkanoic acid granules in <i>Alcaligenes eutrophus</i> ," <i>J. Bacteriol.</i> 177(9):2425-35 (1995).	

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		WIECZOREK, et al., "Occurrence of polyhydroxyalkanoic acid granule-associated proteins related to the <i>Alcaligenes eutrophus</i> H16 GA24 protein in other bacteria," <i>FEMS Microbiol. Lett.</i> 135(1):23-30 (1996).	
		WILLIAMS & PEOPLES, "Biodegradable plastics from plants," <i>CHEMTECH</i> 26:38-44 (1996).	
		YABUTANI, et al., "Analysis of $\beta$ -ketothiolase and acetoacetyl-CoA reductase genes of a methylotrophic bacterium, <i>Paracoccus denitrificans</i> , and their expression in <i>Escherichia coli</i> ," <i>FEMS Microbiol. Lett.</i> 133:85-90 (1995).	

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